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REMARKS

Upon entry of the instant Amendment, Claims 1-32 are pending. Claims 1, 9, 15, and 24 have been amended to more particularly point out Applicants' invention.

Claims 1-3, 5, 7-10, 12-15, 17-18 and 24 have been rejected under 35 U.S.C. 103 as being unpatentable over Knauerhase et al., U.S. Patent Publication No. 2003/0104819 A1 ("Knauerhase") in view of Callegari, U.S. Patent Publication No. 2003/0154293 ("Callegari"). Applicants respectfully submit that the claimed invention is not taught, suggested, or implied by Knauerhase or Callegari, either singly or in combination.

As described in the Specification, and in Response to the previous Official Action, aspects of the present invention relate to a telecommunications system including a plurality of network clients including a positioning controller and a communications controller; and a positioning server including a coordinating controller for maintaining a database of network clients to be tracked and provide updates of position-related information to a presence server. The plurality of network clients are configured to transmit position information received via the positioning controller to the positioning server using the communications controller. In certain embodiments of the present invention, the position information is received from a global positioning system. In certain embodiments, a user can define one or more geographical areas for association with the location-presence rules through use of a mapping engine. In particular, in some embodiments, the user can define a geographical area including a user-defined boundary around the area. In addition, rules and status updates may be transmitted and received using a telephony interface, e.g., by dialing a 1-800 number (for the server) or the cellular telephone number. In addition, in some embodiments, rules may be provided or include availability definitions of the user across multiple media.

Thus, claim 1 has been amended to recite "wherein the location/presence correlation pairs further include availability status indicia over a plurality of media

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associated with a user;" claim 9 has been amended to recite "the one or more location-presence correlation rules further defining a user availability over an associated plurality of user devices and media;" claim 15 has been amended to recite "the presence information including availability information defining user availability over a plurality of devices and media;" and claim 24 has been amended to recite, inter alia, "generating one or more user availability rules defining an availability of a user across plural media."

In contrast, as discussed in response to the previous Official Action, while Knauerhase provides a system for "automatically updating presence information," Knauerhase does not appear to provide, inter alia, the method of defining location-presence rules or pairs, including use of a mapping engine to define a user-defined area boundary, as generally recited in the claims at issue.

Furthermore, in Knauerhase, all presence rules are dependent solely upon the status of the particular mobile device and not the particular user. That is, the presence rules of Knauerhase define a presence with respect to the device alone and not plural media or devices, as generally recited in the claims at issue.

Further, contrary to the suggestion in the Official Action, Knauerhase does not appear to provide for uploading presence rules to the device via a telephony interface or transmitting presence updates via a telephony interface. While Knauerhase provides a network adapter, this does not appear to be a telephony interface. Additionally, while the network of Knauerhase appears to be able to include a telephone network, nothing in Knauerhase suggests that the presence information is transmitted via that network. For that purpose, Knauerhase appears to contemplate only LAN connections or Bluetooth connections.

Callegari is relied on for allegedly teaching manually defining a geographical area. Even if true, however, like Kanuerhase, Callegari does not appear to provide for transmitting or receiving rules or updates via a telephony interface or network. Further, Knauerhase explicitly teaches that manual intervention is undesirable (see Para. 0004). Thus, if anything, Knauerhase teaches away from combination with Callegari. Finally, neither does Callegari appear to provide for availability across plural devices or media.

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As such, the Examiner is respectfully requested to reconsider and withdraw the rejection.

Claim 4 has been rejected under 35 U.S.C. 103(a) as being unpatentable over Knauerhase in view of Callegari and Miyamoto, U.S. Patent Publication No. 2003/0114171 A1 ("Miyamoto"). Applicants respectfully submit that the claimed invention is not taught, suggested, or implied by Knauerhase, Callegari or Miyamoto, either singly or in combination.

Knauerhase and Callegari been discussed above. Miyamoto is relied on for allegedly teaching using e-mail for position notification. However, even if true, like Knauerhase and Callegari, Miyamoto fails to teach suggest, or imply the invention of the underlying claims. As such, the Examiner is respectfully requested to reconsider and withdraw the rejection.

Claim 6 has been rejected under 35 U.S.C. 103(a) as being unpatentable over Knauerhase, Callegari and further in view of Zmolek, U.S. Patent Publication No. 2003/0154293 ("Zmolek"). Knauerhase and Callegari been discussed above. However, even assuming the characterization of Zmolek is correct, like Knauerhase and Callegari, Zmolek fails to teach suggest, or imply the invention of the underlying claims. Zmolek appears to provide a system for interconnecting presence systems and devices to derive a presence across systems, rather than defining a single set of rules for multiple devices in a single system or device, as generally recited in the claims at issue. As such, the Examiner is respectfully requested to reconsider and withdraw the rejection.

Claims 19-20, 22-23, and 25-32 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Knauerhase in view of Giniger et al., U.S. Patent No. 6,985,742 ("Giniger"). Applicants respectfully submit that the claimed invention is not taught, suggested, or implied by Knauerhase or Giniger, either singly or in combination. Knauerhase has been discussed above. Giniger is relied on for allegedly teaching providing position related information to mobile recipients. However, even if true, like Knauerhase, Giniger fails to teach, inter alia, defining a geographical area for use in

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location-presence rules using a mapping engine. As such, the Examiner is respectfully requested to reconsider and withdraw the rejection

Claim 21 has been rejected under 35 U.S.C. 103(a) as being unpatentable over Knauerhase in view of Giniger and Miyamoto. Applicants respectfully submit that the claimed invention is not taught, suggested, or implied by Knauerhase, Giniger, or Miyamoto, either singly or in combination. Each of these references has been discussed above. For similar reasons, Applicants respectfully submit that this claim, too, is allowable.
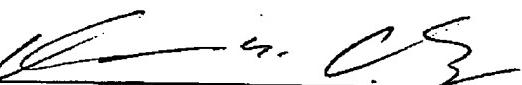
For all of the above reasons, Applicants respectfully submit that the application is in condition for allowance, which allowance is earnestly solicited.

Date: _23 May 08_   Respectfully submitted,

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